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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,643	09/19/2000	Koichi Miyasaka	9319S-000157	4946

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EXAMINER

NORRIS, JEREMY C

ART UNIT PAPER NUMBER

2841

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/664,643

Applicant(s)

MIYASAKA, KOICHI

Examiner

Jeremy Norris

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-17 is/are allowed.
- 6) ☒ Claim(s) 7-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Election/Restrictions***

Applicant's election with traverse of group II, claims 7-9, in Paper No. 6 is acknowledged. The traversal is on the ground(s) that "an undue burden would not be placed upon the Examiner to maintain both groups of claims in a single application". This is not found persuasive because as pointed out in paper No 5, the two inventions have garnered separate status in the art as expressed by their different classifications. This is sufficient to demonstrate an undue burden.

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 08211398 (hereafter Hitachi).

Hitachi discloses an electro-optical device having a conductor pattern constituted by a plurality of elongated conductors (9) formed in parallel to each other on a base (1), further having a dummy pattern constituted by a plurality of dummy conductors (e.g. 8D1) formed in an area on said base where said conductor pattern is not formed, and in which electro optical material (liquid crystal) is disposed on said conductor pattern, wherein said plurality of dummy conductors disposed in an array direction of said

plurality of elongated conductors to constitute said dummy pattern are mutually separated in an extending direction of said plurality of elongated conductors [claims 7, 8], wherein at least two of said plurality of dummy conductors disposed in the array direction of said plurality of elongated conductors are each mutually electrically separated in an extending direction of said plurality of elongated conductors [claim 9], wherein each of said plurality of dummy conductors being mutually electrically separated in the array direction of said plurality of elongated conductors have a dummy conductor width and a dummy conductor spacing equivalent to a width and a spacing of each of the elongated conductors [claim 10], wherein said plurality of elongated conductors formed in parallel to each other have a fixed pitch [claim 11], wherein said plurality of dummy conductors being mutually electrically separated in the array direction of said plurality of elongated conductors have a dummy conductor pitch equal to the fixed pitch of the plurality of elongated conductors [claim 12], wherein said plurality of elongated conductors and said plurality of dummy conductors are selected from the group consisting of electrodes and wiring lines formed on said base [claim 13].

***Allowable Subject Matter***

Claims 14-17 are allowed.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents disclose electro optical circuits with dummy patterns:

US 5,406,398      Suzuki et al.,

US 6,165,692      Kanai et al..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Norris whose telephone number is 703-306-5737. The examiner can normally be reached on Mon.-Th., 9AM - 6:30 PM and alt. Fri. 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7724 for regular communications and 703-305-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

JCSN  
December 15, 2001



Klunas  
Primary Examiner